

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents
United States Patent and Trademark
Office
Box PCT
Washington, D.C.20231
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 19 April 2000 (19.04.00)	
International application No. PCT/EP99/06494	Applicant's or agent's file reference Hi-bu 991458wo
International filing date (day/month/year) 03 September 1999 (03.09.99)	Priority date (day/month/year) 08 September 1998 (08.09.98)
Applicant FRÖHLICH, Bernd et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:

15 March 2000 (15.03.00)

☐ in a notice effecting later election filed with the International Bureau on:2. The election ☒ was☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Claudio Borton
Facsimile No.: (41-22) 740.14.35	Telephone No.: (41-22) 338.83.38

PCT

REQUEST

The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty.

For receiving Office use only

International Application No.

International Filing Date

Name of receiving Office and "PCT International Application"

Applicant's or agent's file reference
(if desired) (12 characters maximum)

Box No. I TITLE OF INVENTION

Box No. II APPLICANT

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)

GMD Forschungszentrum
Informationstechnik GmbH
Schloss Birlinghoven
53754 Sankt Augustin
Germany

☐ This person is also inventor.

Telephone No.

Facsimile No.

Teleprinter No.

State (that is, country) of nationality:
Germany

State (that is, country) of residence:
Germany

This person is applicant
for the purposes of:

☐ all designated
States

☒ all designated States except
the United States of America

☐ the United States
of America only

☐ the States indicated in
the Supplemental Box

Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)

FROELICH, Bernd
Johannesstrasse 18
53225 Bonn
Germany

This person is:

☐ applicant only

☒ applicant and inventor

☐ inventor only (If this check-box
is marked, do not fill in below.)

State (that is, country) of nationality:
Germany

State (that is, country) of residence:
Germany

This person is applicant
for the purposes of:

☐ all designated
States

☐ all designated States except
the United States of America

☒ the United States
of America only

☐ the States indicated in
the Supplemental Box

☒ Further applicants and/or (further) inventors are indicated on a continuation sheet.

Box No. IV AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE

The person identified below is hereby/has been appointed to act on behalf
of the applicant(s) before the competent International Authorities as:

☒ agent

☐ common representative

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)

HILLERINGMANN, Jochen
Bahnhofsvorplatz 1 (Deichmannhaus)
50667 Koeln
Germany

Telephone No.

0221-91 65 20

Facsimile No.

0221-13 42 97

Teleprinter No.

☐ Address for correspondence: Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a special address to which correspondence should be sent.

Continuation of Box No. III FURTHER APPLICANTS AND/OR (FURTHER) INVENTORS	
<i>If none of the following sub-boxes is used, this sheet should not be included in the request.</i>	
<p><small>Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)</small></p> <p>PLATE, John Muenzstrasse 6 51063 Koeln Germany</p>	<p>This person is:</p> <p><input type="checkbox"/> applicant only</p> <p><input checked="" type="checkbox"/> applicant and inventor</p> <p><input type="checkbox"/> inventor only (If this check-box is marked, do not fill in below.)</p>
State (that is, country) of nationality: Germany	State (that is, country) of residence: Germany
<p>This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input type="checkbox"/> all designated States except the United States of America <input checked="" type="checkbox"/> the United States of America only <input type="checkbox"/> the States indicated in the Supplemental Box</p>	
<p><small>Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)</small></p>	<p>This person is:</p> <p><input type="checkbox"/> applicant only</p> <p><input type="checkbox"/> applicant and inventor</p> <p><input type="checkbox"/> inventor only (If this check-box is marked, do not fill in below.)</p>
State (that is, country) of nationality:	State (that is, country) of residence:
<p>This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input type="checkbox"/> all designated States except the United States of America <input type="checkbox"/> the United States of America only <input type="checkbox"/> the States indicated in the Supplemental Box</p>	
<p><small>Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)</small></p>	<p>This person is:</p> <p><input type="checkbox"/> applicant only</p> <p><input type="checkbox"/> applicant and inventor</p> <p><input type="checkbox"/> inventor only (If this check-box is marked, do not fill in below.)</p>
State (that is, country) of nationality:	State (that is, country) of residence:
<p>This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input type="checkbox"/> all designated States except the United States of America <input type="checkbox"/> the United States of America only <input type="checkbox"/> the States indicated in the Supplemental Box</p>	
<p><small>Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)</small></p>	<p>This person is:</p> <p><input type="checkbox"/> applicant only</p> <p><input type="checkbox"/> applicant and inventor</p> <p><input type="checkbox"/> inventor only (If this check-box is marked, do not fill in below.)</p>
State (that is, country) of nationality:	State (that is, country) of residence:
<p>This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input type="checkbox"/> all designated States except the United States of America <input type="checkbox"/> the United States of America only <input type="checkbox"/> the States indicated in the Supplemental Box</p>	
<p><input type="checkbox"/> Further applicants and/or (further) inventors are indicated on another continuation sheet.</p>	

Supplemental Box *If the Supplemental Box is not used, this sheet should not be included in the request.*

1. *If, in any of the Boxes, the space is insufficient to furnish all the information: in such case, write "Continuation of Box No. ..." [indicate the number of the Box] and furnish the information in the same manner as required according to the captions of the Box in which the space was insufficient, in particular:*

- (i) *if more than two persons are involved as applicants and/or inventors and no "continuation sheet" is available: in such case, write "Continuation of Box No. III" and indicate for each additional person the same type of information as required in Box No. III. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below;*
- (ii) *if, in Box No. II or in any of the sub-boxes of Box No. III, the indication "the States indicated in the Supplemental Box" is checked: in such case, write "Continuation of Box No. II" or "Continuation of Box No. III" or "Continuation of Boxes No. II and No. III" (as the case may be), indicate the name of the applicant(s) involved and, next to (each) such name, the State(s) (and/or, where applicable, ARIPO, Eurasian, European or OAPI patent) for the purposes of which the named person is applicant;*
- (iii) *if, in Box No. II or in any of the sub-boxes of Box No. III, the inventor or the inventor/applicant is not inventor for the purposes of all designated States or for the purposes of the United States of America: in such case, write "Continuation of Box No. II" or "Continuation of Box No. III" or "Continuation of Boxes No. II and No. III" (as the case may be), indicate the name of the inventor(s) and, next to (each) such name, the State(s) (and/or, where applicable, ARIPO, Eurasian, European or OAPI patent) for the purposes of which the named person is inventor;*
- (iv) *if, in addition to the agent(s) indicated in Box No. IV, there are further agents: in such case, write "Continuation of Box No. IV" and indicate for each further agent the same type of information as required in Box No. IV;*
- (v) *if, in Box No. V, the name of any State (or OAPI) is accompanied by the indication "patent of addition," or "certificate of addition," or if, in Box No. V, the name of the United States of America is accompanied by an indication "continuation" or "continuation-in-part": in such case, write "Continuation of Box No. V" and the name of each State involved (or OAPI), and after the name of each such State (or OAPI), the number of the parent title or parent application and the date of grant of the parent title or filing of the parent application;*
- (vi) *if, in Box No. VI, there are more than three earlier applications whose priority is claimed: in such case, write "Continuation of Box No. VI" and indicate for each additional earlier application the same type of information as required in Box No. VI;*
- (vii) *if, in Box No. VI, the earlier application is an ARIPO application: in such case, write "Continuation of Box No. VI", specify the number of the item corresponding to that earlier application and indicate at least one country party to the Paris Convention for the Protection of Industrial Property for which that earlier application was filed.*

2. *If, with regard to the precautionary designation statement contained in Box No. V, the applicant wishes to exclude any State(s) from the scope of that statement: in such case, write "Designation(s) excluded from precautionary designation statement" and indicate the name or two-letter code of each State so excluded.*

3. *If the applicant claims, in respect of any designated Office, the benefits of provisions of the national law concerning non-prejudicial disclosures or exceptions to lack of novelty: in such case, write "Statement concerning non-prejudicial disclosures or exceptions to lack of novelty" and furnish that statement below.*

Continuation of Box No. IV

von Kreisler, Alek
 Selting, Günther
 Werner, Hans-Karsten
 Fues, Johann F.
 Dallmeyer, Georg
 Hilleringmann, Jochen
 Jönsson, Hans-Peter
 Meyers, Hans-Wilhelm
 Weber, Thomas
 Helbing, Jörg

P.O. Box 10 22 41
 50462 Köln
 Germany

Feld Nr. V BESTIMMUNG VON STAATEN

Die folgenden Bestimmungen nach Regel 4.9 Absatz a werden hiermit vorgenommen (bitte die entsprechenden Kästchen ankreuzen; wenigstens ein Kästchen muß angekreuzt werden):

Regionales Patent

- ☒ AP ARIPO-Patent: GH Ghana, GM Gambia, KE Kenia, LS Lesotho, MW Malawi, SD Sudan, SZ Swasiland, UG Uganda, ZW Simbabwe und jeder weitere Staat, der Vertragsstaat des Harare-Protokolls und des PCT ist
- ☒ EA Eurasisches Patent: AM Armenien, AZ Aserbaidschan, BY Belarus, KG Kirgisistan, KZ Kasachstan, MD Republik Moldau, RU Russische Föderation, TJ Tadschikistan, TM Turkmenistan und jeder weitere Staat, der Vertragsstaat des Eurasischen Patentübereinkommens und des PCT ist
- ☒ EP Europäisches Patent: AT Österreich, BE Belgien, CH und LI Schweiz und Liechtenstein, CY Zypern, DE Deutschland, DK Dänemark, ES Spanien, FI Finnland, FR Frankreich, GB Vereinigtes Königreich, GR Griechenland, IE Irland, IT Italien, LU Luxemburg, MC Monaco, NL Niederlande, PT Portugal, SE Schweden und jeder weitere Staat, der Vertragsstaat des Europäischen Patentübereinkommens und des PCT ist
- ☒ OA OAPI-Patent: BF Burkina Faso, BJ Benin, CF Zentralafrikanische Republik, CG Kongo, CI Côte d'Ivoire, CM Kamerun, GA Gabun, GN Guinea, GW Guinea-Bissau, ML Mali, MR Mauretanien, NE Niger, SN Senegal, TD Tschad, TG Togo und jeder weitere Staat, der Vertragsstaat der OAPI und des PCT ist (falls eine andere Schutzrechtsart oder ein sonstiges Verfahren gewünscht wird, bitte auf der gepunkteten Linie angeben)

Nationales Patent (falls eine andere Schutzrechtsart oder ein sonstiges Verfahren gewünscht wird, bitte auf der gepunkteten Linie angeben):

- | | |
|--|--|
| <input checked="" type="checkbox"/> AL Albanien | <input checked="" type="checkbox"/> LS Lesotho |
| <input checked="" type="checkbox"/> AM Armenien | <input checked="" type="checkbox"/> LT Litauen |
| <input checked="" type="checkbox"/> AT Österreich | <input checked="" type="checkbox"/> LU Luxemburg |
| <input checked="" type="checkbox"/> AU Australien | <input checked="" type="checkbox"/> LV Lettland |
| <input checked="" type="checkbox"/> AZ Aserbaidschan | <input checked="" type="checkbox"/> MD Republik Moldau |
| <input checked="" type="checkbox"/> BA Bosnien-Herzegowina | <input checked="" type="checkbox"/> MG Madagaskar |
| <input checked="" type="checkbox"/> BB Barbados | <input checked="" type="checkbox"/> MK Die ehemalige jugoslawische Republik Mazedonien |
| <input checked="" type="checkbox"/> BG Bulgarien | <input checked="" type="checkbox"/> MN Mongolei |
| <input checked="" type="checkbox"/> BR Brasilien | <input checked="" type="checkbox"/> MW Malawi |
| <input checked="" type="checkbox"/> BY Belarus | <input checked="" type="checkbox"/> MX Mexiko |
| <input checked="" type="checkbox"/> CA Kanada | <input checked="" type="checkbox"/> NO Norwegen |
| <input checked="" type="checkbox"/> CH und LI Schweiz und Liechtenstein | <input checked="" type="checkbox"/> NZ Neuseeland |
| <input checked="" type="checkbox"/> CN China | <input checked="" type="checkbox"/> PL Polen |
| <input checked="" type="checkbox"/> CU Kuba | <input checked="" type="checkbox"/> PT Portugal |
| <input checked="" type="checkbox"/> CZ Tschechische Republik | <input checked="" type="checkbox"/> RO Rumänien |
| <input checked="" type="checkbox"/> DE Deutschland | <input checked="" type="checkbox"/> RU Russische Föderation |
| <input checked="" type="checkbox"/> DK Dänemark | <input checked="" type="checkbox"/> SD Sudan |
| <input checked="" type="checkbox"/> EE Estland | <input checked="" type="checkbox"/> SE Schweden |
| <input checked="" type="checkbox"/> ES Spanien | <input checked="" type="checkbox"/> SG Singapur |
| <input checked="" type="checkbox"/> FI Finnland | <input checked="" type="checkbox"/> SI Slowenien |
| <input checked="" type="checkbox"/> GB Vereinigtes Königreich | <input checked="" type="checkbox"/> SK Slowakei |
| <input checked="" type="checkbox"/> GD Grenada | <input checked="" type="checkbox"/> SL Sierra Leone |
| <input checked="" type="checkbox"/> GE Georgien | <input checked="" type="checkbox"/> TJ Tadschikistan |
| <input checked="" type="checkbox"/> GH Ghana | <input checked="" type="checkbox"/> TM Turkmenistan |
| <input checked="" type="checkbox"/> GM Gambia | <input checked="" type="checkbox"/> TR Türkei |
| <input checked="" type="checkbox"/> HR Kroatien | <input checked="" type="checkbox"/> TT Trinidad und Tobago |
| <input checked="" type="checkbox"/> HU Ungarn | <input checked="" type="checkbox"/> UA Ukraine |
| <input checked="" type="checkbox"/> ID Indonesien | <input checked="" type="checkbox"/> UG Uganda |
| <input checked="" type="checkbox"/> IL Israel | <input checked="" type="checkbox"/> US Vereinigte Staaten von Amerika |
| <input checked="" type="checkbox"/> IN Indien | <input checked="" type="checkbox"/> UZ Usbekistan |
| <input checked="" type="checkbox"/> IS Island | <input checked="" type="checkbox"/> VN Vietnam |
| <input checked="" type="checkbox"/> JP Japan | <input checked="" type="checkbox"/> YU Jugoslawien |
| <input checked="" type="checkbox"/> KE Kenia | <input checked="" type="checkbox"/> ZW Simbabwe |
| <input checked="" type="checkbox"/> KG Kirgisistan | |
| <input checked="" type="checkbox"/> KP Demokratische Volksrepublik Korea | |
| <input checked="" type="checkbox"/> KR Republik Korea | |
| <input checked="" type="checkbox"/> KZ Kasachstan | |
| <input checked="" type="checkbox"/> LC Saint Lucia | |
| <input checked="" type="checkbox"/> LK Sri Lanka | |
| <input checked="" type="checkbox"/> LR Liberia | |

Kästchen für die Bestimmung von Staaten (für die Zwecke eines nationalen Patents), die dem PCT nach der Veröffentlichung dieses Formblatts beigetreten sind:

☒ und jedes weitere PCT-Mitgliedsstaat

☐

Erklärung bzgl. vorsorglicher Bestimmungen: Zusätzlich zu den oben genannten Bestimmungen nimmt der Anmelder nach Regel 4.9 Absatz b auch alle anderen nach dem PCT zulässigen Bestimmungen vor mit Ausnahme der im Zusatzfeld genannten Bestimmungen, die von dieser Erklärung ausgenommen sind. Der Anmelder erklärt, daß diese zusätzlichen Bestimmungen unter dem Vorbehalt einer Bestätigung stehen und jede zusätzliche Bestimmung, die vor Ablauf von 15 Monaten ab dem Prioritätsdatum nicht bestätigt wurde, nach Ablauf dieser Frist als vom Anmelder zurückgenommen gilt. (Die Bestätigung einer Bestimmung erfolgt durch die Einreichung einer Mitteilung, in der diese Bestimmung angegeben wird, und die Zahlung der Bestimmungs- und der Bestätigungsgebühr. Die Bestätigung muß beim Anmeldeamt innerhalb der Frist von 15 Monaten eingehten.)

Box No. VI PRIORITY CLAIM		<input type="checkbox"/> Further priority claims are indicated in the Supplemental Box.		
Filing date of earlier application (day/month/year)	Number of earlier application	Where earlier application is:		
		national application: country	regional application: regional Office	international application: receiving Office
item (1) September 8, 1998	198 40 939.7	Germany		
item (2)				
item (3)				
<input type="checkbox"/> The receiving Office is requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) (only if the earlier application was filed with the Office which for the purposes of the present international application is the receiving Office) identified above as item(s):				
<small>* Where the earlier application is an ARIPO application, it is mandatory to indicate in the Supplemental Box at least one country party to the Paris Convention for the Protection of Industrial Property for which that earlier application was filed (Rule 4.10(b)(ii)). See Supplemental Box.</small>				
Box No. VII INTERNATIONAL SEARCHING AUTHORITY				
Choice of International Searching Authority (ISA) <small>(if two or more International Searching Authorities are competent to carry out the international search, indicate the Authority chosen; the two-letter code may be used):</small>		Request to use results of earlier search; reference to that search (if an earlier search has been carried out by or requested from the International Searching Authority):		
ISA /		Date (day/month/year)	Number	Country (or regional Office)
Box No. VIII CHECK LIST; LANGUAGE OF FILING				
This international application contains the following number of sheets: request : 5 description (excluding sequence listing part) : 9 claims : 4 abstract : 1 drawings : 2 sequence listing part of description : Total number of sheets : 21		This international application is accompanied by the item(s) marked below: 1. <input checked="" type="checkbox"/> fee calculation sheet 2. <input type="checkbox"/> separate signed power of attorney 3. <input type="checkbox"/> copy of general power of attorney; reference number, if any: 4. <input type="checkbox"/> statement explaining lack of signature 5. <input type="checkbox"/> priority document(s) identified in Box No. VI as item(s): 6. <input type="checkbox"/> translation of international application into (language): 7. <input type="checkbox"/> separate indications concerning deposited microorganism or other biological material 8. <input type="checkbox"/> nucleotide and/or amino acid sequence listing in computer readable form 9. <input type="checkbox"/> other (specify):		
Figure of the drawings which should accompany the abstract: 1		Language of filing of the international application: Germany		
Box No. IX SIGNATURE OF APPLICANT OR AGENT				
Next to each signature, indicate the name of the person signing and the capacity in which the person signs (if such capacity is not obvious from reading the request).				

For receiving Office use only	
1. Date of actual receipt of the purported international application: 3. Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application: 4. Date of timely receipt of the required corrections under PCT Article 11(2): 5. International Searching Authority (if two or more are competent): ISA /	2. Drawings: <input type="checkbox"/> received: <input type="checkbox"/> not received: 6. <input type="checkbox"/> Transmittal of search copy delayed until search fee is paid.

For International Bureau use only
Date of receipt of the record copy by the International Bureau:

PATENT COOPERATION TREATY

PCT
NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

(PCT Rule 72.2)

From the INTERNATIONAL BUREAU

To:

HILLERINGMANN, Joch
 Bahnhofsvorplatz 1
 Deichmannhaus
 D-50667 Köln
 ALLEMAGNE

AR	SG	W	DA	CH	EP	ME	FR	JP	IN	KB
16. JULI 2001										
K	Joch Hilleringmann									

Date of mailing (day/month/year) 22 June 2001 (22.06.01)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference Hi-bu 991458wo	
International application No. PCT/EP99/06494	International filing date (day/month/year) 03 September 1999 (03.09.99)
Applicant GMD FORSCHUNGSZENTRUM INFORMATIONSTECHNIK GMBH et al	

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

2. Transmittal of the copy of the translation to the elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

AU,CA,CN,JP,KP,KR,NZ,PL,US

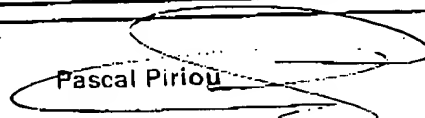
The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AP,EA,EP,AE,AL,AM,AT,AZ,BA,BB,BG,BR,BY,CH,CR,CU,CZ,DE,DK,DM,EE,ES,FI,GB,GD,GE,GH,GM,HR,HU,ID,IL,IN,IS,KE,KG,KZ,LC,LK,LR,LS,LT,LU,LV,MD,MG,MK,MN,MW,MX,NO,PT,RO,RU,SD,SE,SG,SI,SK,SL,TJ,TM,TR,TT,UA,UG,UZ,VN,YU,ZA,ZW,OA

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. (41-22) 740.14.35	Authorized officer  Pascal Piriou Telephone No. (41-22) 338.83.38
--	---

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference Hi-bu 991458wo	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP99/06494	International filing date (day/month/year) 03 September 1999 (03.09.99)	Priority date (day/month/year) 08 September 1998 (08.09.98)
International Patent Classification (IPC) or national classification and IPC G06K 11/18		
Applicant GMD FORSCHUNGSZENTRUM INFORMATIONSTECHNIK GMBH		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 6 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 15 March 2000 (15.03.00)	Date of completion of this report 16 August 2000 (16.08.2000)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP99/06494

I. Basis of the report

1. This report has been drawn on the basis of (Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.):

☐ the international application as originally filed.

☒ the description, pages 1-9, as originally filed,
pages _____, filed with the demand,
pages _____, filed with the letter of _____,
pages _____, filed with the letter of _____.

☒ the claims, Nos. 1-14, as originally filed,
Nos. _____, as amended under Article 19,
Nos. _____, filed with the demand,
Nos. _____, filed with the letter of _____,
Nos. _____, filed with the letter of _____.

☒ the drawings, sheets/fig 1-2, as originally filed,
sheets/fig _____, filed with the demand,
sheets/fig _____, filed with the letter of _____,
sheets/fig _____, filed with the letter of _____.

2. The amendments have resulted in the cancellation of:

☐ the description, pages _____
☐ the claims, Nos. _____
☐ the drawings, sheets/fig _____

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP 99/06494

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-14	YES
	Claims		NO
Inventive step (IS)	Claims	1-14	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-14	YES
	Claims		NO

2. Citations and explanations

This report refers to US-A-5 729 249 as D1.

Novelty, inventive step and industrial applicability

- The application **relates to** a so-called "three-dimensional" mouse, i.e. an input device that can be moved in space. Sensors recognize this movement and control an output device, on the screen of which a displayed object follows the movements in space.

A similar device is known from D1 (cited in the application). In that document, a cube is equipped with pressure-sensitive sensors on its six sides which measure the hand and finger movements of the user.

A sensor according to D1 can be rotated as a whole in order to rotate the displayed object. The cube is rotated, for example, 90 degrees to the right from its starting position in order to rotate the object. If the cube is then moved upwards in order to lift the object, the **problem** arises that the coordinate systems of the cube and the output device are now twisted. An upward movement of the cube is

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misinterpreted as a movement towards the left. Thus the arrangement and orientation of the actuating organs of the input device do not match the directions in which the object can be moved by the organs.

2. The **solution** consists in equipping the input device with its own position-sensing mechanism which detects the position of the cube (for example, inertia or orientation sensor). This additional sensor is sensitive to the three spatial axes and ensures that the change in the image on the display which is expected by the user is also actually made. After the cube has been rotated (to rotate the object), the coordinate system is modified by this sensor in such a way that a movement of the cube, for example, upwards, then also causes the displayed object to move upwards.
3. D1, which is cited in the application and is also the only **document** cited in the international search report, does not suggest an additional sensor of this type and the translation of the coordinate systems. A rotation of the entire cube does not appear to take place in D1; in order to rotate the object in D1, the user must rub in opposite directions on two opposing sides of the cube (see, for example, Figure 33e in D1).

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VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

Certain defects in form or content (PCT Rules 5 to 7)

1. The independent claims have not been drafted in the two-part form.
2. The description has not been brought into line with the claims (PCT Rule 5.1a).
3. **Claim 6** contains an incorrect reference sign ("y, y, z").
4. PCT Rule 11.8 has not been met.

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VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Clarity, conciseness, support by the description (PCT Article 6)

1. The requirement of conciseness has not been met, since there are too many independent claims. **Claim 4** is directed to the solution with two actuating organs per axis, whereas Claim 1 defines only one displaceable actuating organ per axis. In light of Claim 5 ("in their directions of displacement"), which is dependent on Claims 1 and 4, it appears as though the actuating organs must also be displaceable in Claim 4. If this is not the case, then the wording in Claim 5 is unclear.
2. It is essential to the invention (see description, page 1, bottom three lines) that the direction in which the actuating organ on the input device is moved is exactly the same as the direction in which the display device moves the displayed object (see page 4, second paragraph). A corresponding feature is missing in the independent claims. Presently, the claims also cover the situation when, for example, the actuating element is moved in the X-direction, whereas the display device shows a movement in the Z-direction.

The independent claims are missing a feature which clarifies the correction which takes place when the entire input cube is rotated in order to ensure that, in any position of the cube, for example, an upward movement of the cube also causes the displayed object

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- to move upwards. Without a correction device of this type, the invention does not solve the specified problem.
3. The wording "input device for control signals" at the beginning of **Claims 1 and 4** is unclear. Does the input device produce the control signals or are control signals fed into the input device (controlling the input device by means of control signals, input of control signals)?
 4. The text from "and within" to "projects" ["und innerhalb" to "vorsteht" in the original German] in lines 9-11 of **Claim 1** is grammatically incorrect and incomprehensible.
 5. The word "the" ["der" in the German text] in line 12 of **Claim 1** is unclear. The same applies to **Claim 4**.
 6. Features following the words "in particular" (for example, **Claims 1 and 11**) do not have a limiting effect and are therefore misleading.
 7. **Claim 2** is missing the word "are" ["sind" in the German text].
 8. **Claim 11** does not meet the requirement of conciseness (end of line 3 and into line 4).
 9. **Claim 12** may not be dependent on **Claim 11**, since otherwise a contradiction arises (cubic/spherical form). The same applies to **Claim 13**.

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10. **Claim 14** is worded as a dependent claim. That claim relates to a graphic display system. The actual characterizing features (see the two last lines of Claim 14), however, define the input device, but not the (claimed) display system. The claim is therefore misleading. It is unclear, for example, whether the input device belongs to the claimed subject matter. It should also be noted that the subject matter of this claim appears to correspond to that of the two independent claims. Furthermore, it is not sufficiently clear that **Claim 14** is a dependent claim. The text on page 3 (after the empty line) is misleading: The invention relates to the input device, not the display device.
11. The meaning of the last line on page 9 is unclear. The invention is defined only by the wording to the claims.